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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/849,471	05/04/2001	Harry Robert Swank	PU010077	8317

7590

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EXAMINER

HARPER, HOLLY R

ART UNIT

PAPER NUMBER

2879

DATE MAILED: 08/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/849,471

Applicant(s)

SWANK ET AL. *EW*

Examiner

Holly R. Harper

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5 and 7-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Adachi et al. (USPN 5,699,132).

In regard to claim 1, the Adachi reference discloses a mounting apparatus for a CRT. A band portion extends around the periphery of the CRT (Figure 3, Element 12a). There are a plurality of mounting lugs extending outward from the band and integrally formed with the band (Figure 11, Element 13a). The mounting lug has a tapered surface along a width dimension (Figure 3, Element 13 is larger than 13c). The bezel (Figure 2, Element 30) has a plurality of mounting lug receiving recesses having an inner contour, which is complimentary to the surface profile of each mounting lug (Figure 2, Element 33).

In regard to claim 2, the Adachi reference discloses a mounting lug with a passageway extending from a front side (Figure 4, Element 13f) to a rear side (Figure 4, Element 13c) for receiving a fastener (Figure 4, Element 13d).

In regard to claim 3, the Adachi reference discloses a mounting lug receiving recess with a fastener receiving opening being in alignment with the passageway when the mounting lug is inserted into the mounting lug receiving recess (Figure 3, Element 33b).

In regard to claim 4, the Adachi reference discloses a mounting lug with a tapered front surface (Figure 4, Element 13b).

In regard to claim 5, the Adachi reference discloses a mounting lug with a pair of opposed tapered side surfaces (Figure 4).

In regard to claim 7, the Adachi reference discloses a CRT cabinet. A band portion extends around the periphery of the CRT (Figure 3, Element 12a). There is a mounting lug extending outward from the band and integrally formed with the band (Figure 3, Element 13). The mounting lug has a tapered surface along a width dimension (Figure 3, Element 13 is larger than 13c).

In regard to claim 8, the Adachi reference discloses a mounting lug with a passageway extending from a front side (Figure 4, Element 13f) to a rear side (Figure 4, Element 13c) for receiving a fastener (Figure 4, Element 13d).

In regard to claim 9, the Adachi reference discloses a mounting lug with a tapered front surface (Figure 4, Element 13b) being tapered from a wider portion on the rear side to a narrower portion on the front side (Figure 4, Element 13c).

In regard to claim 10, the Adachi reference discloses a mounting lug with a pair of opposed tapered side surfaces being tapered from a wider portion on the rear side (Figure 4, Element 13b) to a narrower portion on the front side (Figure 4, Element 13f).

3. Claims 1-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Chihara (USPN 4,949,008).

In regard to claim 1, the Chihara reference discloses a mounting apparatus for a CRT. A band portion extends around the periphery of the CRT (Figure 2, Element 1). There are a

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plurality of mounting lugs extending outward from the band and integrally formed with the band. The mounting lug has a tapered surface along a width dimension (Figure 2, Element 30). The bezel (Figure 2, Element 7) has a plurality of mounting lug receiving recesses having an inner contour which is complimentary to the surface profile of each mounting lug (Figure 2, Element 7e).

In regard to claim 2, the Chihara reference discloses a mounting lug with a passageway extending from a front side to a rear side for receiving a fastener (Figure 2, Element 30).

In regard to claim 3, the Chihara reference discloses a mounting lug receiving recess with a fastener receiving opening being in alignment with the passageway when the mounting lug is inserted into the mounting lug receiving recess (Figure 2, Element 7e).

In regard to claim 4, the Chihara reference discloses a mounting lug with a tapered front surface (Figure 2, Element 30).

In regard to claim 5, the Chihara reference discloses a mounting lug with a pair of opposed tapered side surfaces (Figure 2, Element 30).

In regard to claim 6, the Chihara reference discloses mounting lugs with a curved outer tapered surface (Figure 2, Element 30).

In regard to claim 7, the Chihara reference discloses a CRT cabinet. A band portion extends around the periphery of the CRT (Figure 2, Element 1). There is a mounting lug extending outward from the band and integrally formed with the band. The mounting lug has a tapered surface along a width dimension (Figure 2, Element 30).

In regard to claim 8, the Chihara reference discloses a mounting lug with a passageway extending from a front side to a rear side for receiving a fastener (Figure 2, Element 30).

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In regard to claim 9, the Chihara reference discloses a mounting lug with a tapered front surface being tapered from a wider portion on the rear side to a narrower portion on the front side (Figure 2, Element 30).

In regard to claim 10, the Chihara reference discloses a mounting lug with a pair of opposed tapered side surfaces being tapered from a wider portion on the rear side to a narrower portion on the front side (Figure 2, Element 30).

In regard to claim 11, the Chihara reference discloses mounting lugs with a curved outer tapered surface (Figure 2, Element 30).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Fowler (USPN 5,270,826) discloses a contoured lug.

Kwon (USPN 5,742,360) discloses a mounting lug and a complimentary recess.

Lin (USPN 5,459,527) discloses a mounting lug and a complimentary recess.

Vriens (USPN 4,899,080) discloses a tapered lug on a band portion.

Tom (USPN 3,997,811) discloses a tapered lug.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Holly Harper whose telephone number is (703) 305-7908. The examiner can normally be reached on Monday-Friday from 8:30 AM to 5:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel, can be reached on (703) 305-4794. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7382.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



Holly Harper
Patent Examiner
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